



# KANSAS

D. KENT HURN, CHAIRPERSON

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DEPARTMENT OF ADMINISTRATION  
CIVIL SERVICE BOARD

KATHLEEN SEBELIUS, GOVERNOR  
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To: George Vega, Interim Director, Division of Personnel Services  
Tracy Diel, Director, Office of Administrative Hearings  
D. Kent Hurn, Chairman, Civil Service Board

From: Peggy Graham, Secretary, Civil Service Board

Date: July 17, 2006

Re: Quarterly Update

The following reflects the Civil Service Board cases in which action was taken since the April 15, 2006 quarterly report:

A. Cases Decided and/or Disposed Of:

1. **Name Removed** *withdrawn*  
**Beloit Juvenile Correctional Facility**  
Chemical Dependence Recovery Program Director. The appellant was dismissed for failing to report an unlawful sexual relationship between a juvenile correctional officer and a juvenile offender in the custody of the commissioner of the Juvenile Justice Authority, and for engaging in undue familiarity with a juvenile offender in the custody of the commissioner of the Juvenile Justice Authority. The appellant withdrew her request for a hearing prior to the scheduled hearing date.
2. **Name Removed** 20-day suspension *affirmed*  
**Wichita State University**  
Police Sergeant. The appellant conducted an improper search of a citizen's belongings and failed to properly describe the events of the search in his police report of the incident. The citizen had given consent to the search only after the appellant threatened her with arrest if she failed to consent. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
3. **Name Removed**, dismissal *affirmed*  
**Kansas Department of Social and Rehabilitation Services**  
Program Consultant I. The appellant was granted access to various computer systems that contained confidential information about SRS clients in order for her to perform her job duties. She was also granted access to computer systems of the Social Security Administration and the Department of Revenue in order to perform her job duties. On or about September 8, 2006 The appellant violated agency policy and breeched the confidentiality of an SRS client and the client's son when she inappropriately used her access to the various state and federal computer systems to obtain information about the client and her son. The client was the appellant's former mother-in-law and the client's case was not even being handled in the appellant's area. The appellant used her access for her own personal information, rather than for a legitimate business reason. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.

4. **Name Removed**, dismissal *affirmed*  
**Department of Transportation**  
Administrative Assistant. The appellant received two unsatisfactory performance evaluations within 180 days. He received considerable counseling and feedback sessions with his supervisor in an attempt to bring his performance up to an acceptable level, but he was unwilling or unable to do so. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
5. **Name Removed**, 3-day suspension *affirmed*  
**Animal Health Department**  
Animal Facility Inspector. The appellant failed to maintain a harmonious relationship with the public. He was threatening, intimidating, condescending and improperly used his position to exert power and authority over kennel owners and operators. He created a climate of fear and apprehension in the area in which he conducted inspections. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
6. **Name Removed**, dismissal *withdrawn*  
**Department of Social and Rehabilitation Services**  
The appellant released confidential information from official records without a legitimate business purpose to do so. The appellant withdrew her request for a hearing prior to the scheduled hearing date.
7. **Name Removed**, 1-day suspension *affirmed*  
**Department of Corrections**  
Parole Officer I. The appellant failed to do the necessary paperwork or enter the necessary information into the DOC computer system to secure the discharge from supervision of a parolee under her supervision. Because she did not do the necessary paperwork, the parolee was detained in the Shawnee County Jail for two days past the end of his supervision time. In addition, because she did not enter the necessary information into the DOC computer even after the parolee was released from the Shawnee County Jail, the computer system still showed that he was under parole supervision. Consequently, he was arrested in Sedgwick County and held in jail for two days for being outside of his parole area without supervision. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
8. **Name Removed**, dismissal *affirmed*  
**Osawatomie State Hospital**  
Safety and Security Officer I. The appellant received a telephone call from the Sexual Predator Treatment Program house located on the campus of OSH asking for assistance as a security alarm was sounding at the house. Although the program is not a part of the OSH, because they are housed there, OSH provides administrative support to the program including security services. The appellant did not respond to the call as required and was dismissed for his failure to follow agency policy and failure to perform his duties as required. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
9. **Name Removed**, dismissal *withdrawn*  
**Lansing Correctional Facility**  
Correctional Officer II. The appellant failed to search a van that was leaving the facility. There was an inmate hiding in the van who escaped the facility due to the appellant's failure to follow agency policy by failing to search the van prior to its departure. The appellant withdrew his request for a hearing prior to the scheduled hearing date.
10. **Name Removed**, dismissal *affirmed*  
**Department of Social and Rehabilitation Services**  
Human Services Assistant. The appellant received two unsatisfactory performance evaluations within 180 days that were spaced more than 30 days apart. The appellant was adequately counseled regarding her performance expectations and how to properly perform her duties and yet she was unable to perform in a satisfactory manner. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
11. **Name Removed**, dismissal *affirmed*  
**Osawatomie State Hospital**  
Safety and Security Officer I. The appellant received a telephone call from the Sexual Predator Treatment Program house located on the campus of OSH asking for assistance as a security alarm was sounding at the house. Although the program is not a part of the OSH, because they are housed there, OSH provides administrative support to the program including security services. The appellant did not respond to the call as required and was dismissed for his failure to follow agency policy and failure to perform his duties as required. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.

12. **Name Removed** dismissal *dismissed*  
**Parsons State Hospital and Training Center**  
Developmental Disability Technician. The appellant abused patients under his care while employed at PSHTC. The appellant failed to appear at the hearing as scheduled and a default order was issued against him.
13. **Name Removed** dismissal *modified*  
**Osawatomie State Hospital**  
Mason. The appellant refused to leave his supervisor's office when asked and created a threatening atmosphere for his supervisor and as a result was involved in a physical altercation in the work place with his supervisor. After hearing all of the evidence, the Board found that while the employee's actions warranted disciplinary action, dismissal was unreasonable under the circumstances. The decision was modified to an 8 month suspension without pay.
14. **Name Removed**, dismissal *affirmed*  
**Osawatomie State Hospital**  
Physical Plant Supervisor Senior. The appellant continued to escalate a difficult situation with an employee rather than use the means available to him to de-escalate the situation or leave the situation. The appellant then initiated a physical altercation with the employee by striking the employee in the head with a radio. After hearing all of the evidence, the Board found the decision of the appointing authority to be reasonable.
15. **Name Removed** dismissal *withdrawn*  
**Kansas Neurological Institute**  
Developmental Disability Technician. The appellant resigned her position with the agency. Therefore the Board no longer had jurisdiction over the matter and the case was dismissed for lack of jurisdiction.
16. **Name Removed** dismissal *withdrawn*  
**Department of Revenue**  
The appellant withdrew her request for hearing prior to the scheduled hearing with the Board.
17. **Name Removed**, dismissal *withdrawn*  
**Kansas Highway Patrol**  
Communications Specialist I. The appellant reached a settlement agreement with the agency prior to the scheduled hearing and withdrew her request for a hearing with the Board.
18. **Name Removed** dismissal *withdrawn*  
**Kansas State University**  
Custodial Specialist. The appellant took an unscheduled break and locked himself in a professor's office without permission. When the professor attempted to enter his office he found that it had been locked with an internal latch and was unable to access his office. When the appellant exited the office he stated that he had been changing clothes and studying. The professor noticed a small TV/VCR unit, a video cassette and a book on a table in the office that did not belong to the professor. The professor then asked the appellant to leave the office and the appellant did so, taking the TV/VCR unit, video cassette and book with him. The parties reached a settlement agreement prior to the scheduled hearing date and the appellant withdrew his request for a hearing.

B. Cases Filed Between April 15, 2006 and July 15, 2006:

1. Highway Patrol, filed April 18, 2006
2. Department of Corrections, filed April 19, 2006
3. Department of Corrections, filed May 2, 2006
4. Wichita Work Release, filed May 3, 2006
5. Department of Corrections, filed May 8, 2006
6. Osawatomie State Hospital, filed May 19, 2006
7. Beloit Juvenile Correctional Facility, filed May 31, 2006
8. Wichita South Parole Office, filed May 31, 2006
9. Larned Correctional Mental Health Facility, filed June 1, 2006
10. Social and Rehabilitation Services, filed June 6, 2006
11. Social and Rehabilitation Services, filed June 7, 2006
12. Parsons State Hospital, filed June 13, 2006
13. Parsons State Hospital, filed June 13, 2006
14. Department of Corrections, filed June 26, 2006
15. Parsons State Hospital, filed June 27, 2006

16. Department of Corrections, filed June 28, 2006
17. Juvenile Justice Authority, filed July 5, 2006
18. Department of Transportation, filed July 11, 2006
19. Department of Revenue, filed July 11, 2006

C. Cases Still To Be Heard:

1. demotion, Department of Corrections, set 8/7/06
2. 2-day suspension, Wichita South Parole Office, set 7/17/06
3. dismissal, Kansas Highway Patrol, set 8/8/06
4. dismissal, Larned Correctional Mental Health, set 7/18/06
5. suspension, Highway Patrol, set 10/2/06
6. 3-day suspension, Department of Corrections, set 9/19/06
7. demotion, Department of Corrections, set 9/19/06
8. dismissal, Parsons State Hospital, set 12/6/06
9. dismissal, Department of Corrections, set 10/4/06
10. 3-day suspension, Juvenile Justice Authority, set 8/21/06
11. 5-day suspension, Department of Corrections, set 11/7/06
12. Wichita Work Release, set 9/5/06
13. 30-day suspension, Department of Corrections, set 8/24/06
14. demotion, Social and Rehabilitation Services, set 11/21/06
15. Department of Transportation, set 8/23/06
16. dismissal, Department of Transportation, set 7/20/06
17. demotion, Parsons State Hospital, set 8/11/06
18. 5-day suspension, Department of Corrections, set 10/3/06
19. dismissal, Highway Patrol, set 8/22/06
20. dismissal, Wildlife and Parks, set 1/15-17/07
21. dismissal, Department of Administration, set 8/10/06
22. dismissal, Osawatomie State Hospital, set 7/19/06
23. dismissal, Department of Revenue, set 8/23/06
24. dismissal, Osawatomie State Hospital, set 9/21/06
25. 30-day suspension, Department of Revenue, set 10/18-20/06
26. dismissal, Department of Revenue, set 10/18-20/06
27. dismissal, Social and Rehabilitation Services, set 8/9/06
28. 10-day suspension, Department of Transportation, set 8/21/06
29. suspension, Department of Corrections, set 12/5/06
30. 3-day suspension, Osawatomie State Hospital, set 9/7/06
31. dismissal, Parsons State Hospital, set 11/20/06

D. Statistics for Completed Cases:

1. Dismissals: 15
2. Demotions: 0
3. Suspensions: 3
4. Other: 0

1. Affirmed: 9
2. Reversed: 0
3. Modified: 1
4. Dismissed: 1
5. Withdrawn: 7

1. Social and Rehabilitation Services: 9
2. Department of Corrections: 2
3. Department of Transportation: 1
4. Kansas State University: 1
5. Juvenile Justice Authority: 1
6. Wichita State University: 1
7. Animal Health: 1
8. Department of Revenue: 1
9. Highway Patrol: 1